

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

2018 JUN 29 PM 5:00

CLERK OF DISTRICT COURT  
WESTERN DISTRICT OF TEXAS

**ERIK PATTON STERNS,**  
**Plaintiff,**

**-vs-**

**Case No. A-17-CA-1206-SS**

**MEDICREDIT, INC.,**  
**Defendant.**

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**ORDER OF DISMISSAL AND**  
**FINAL JUDGMENT**

BE IT REMEMBERED on this day the Court reviewed the file in the above-styled cause, and specifically the “Defendant Medcredit’s Motion for Sanctions Pursuant to F.R.C.P. 11” [#21 filed May 21, 2018]; the “Motion for Discovery Sanctions” [#26 filed May 25, 2018]; and this Court’s order of May 25, 2018 ordering Erik Patton Sterns to respond to these motions by June 25, 2018. Mr. Sterns has filed no response in compliance with the discovery that he has defaulted on as well as this Court’s order. The failure to file any response to the motions under the Local Rules of the United States District Court for the Western District of Texas is that the motions are not disputed. Therefore, the Motions for Discovery Sanctions and Motion for Sanctions Pursuant to F.R.C.P. 11 are GRANTED. The failure of Mr. Sterns to respond to this Court’s order as well as his complete failure to comply with the Federal Rules of Civil Procedure are reasons to dismiss this case for failure to prosecute and to award appropriate sanctions without prejudice to refiling.

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IT IS THEREFORE ORDERED the above-styled and numbered cause is DISMISSED for want of prosecution without prejudice to refiling and all costs taxed to Erik Patton Sterns.

IT IS FURTHER ORDERED, ADJUDGED, and DECREED that Medicredit, Inc. and its lawyers do have and recover judgment of and against Erik Patton Sterns in the amount of ONE THOUSAND FIVE HUNDRED AND NO/100 DOLLARS (\$1,500.00) for sanctions against Erik Patton Sterns as compensation for the expenses and attorney's fees required resulting in Mr. Sterns' complete failure to comply with the Federal Rules of Civil Procedure and the local rules of this district, as well as this Court's order. The judgment against Mr. Erik Patton Sterns is a final judgment in this case for which let execution issue.

The Clerk is ORDERED to mail a copy of this judgment to Erik Patton Sterns, 2407 South Congress Avenue, Suite E-622, Austin, Texas 78704.

SIGNED this the 29<sup>th</sup> day of June 2018.

  
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SAM SPARKS  
SENIOR UNITED STATES DISTRICT JUDGE